DECISION RECORD

Reference: Environmental Assessment for Grazing Authorization, #NM-060-99-135

Decision: It is my decision to authorize the issuance of a ten year grazing permit anda ten year grazing lease to William G. and Kay Hendricks Liakos for the Bureau of Land Management grazing allotment #63038 and #63538. The permit will authorize 125 cows yearlong at 17% Federal Range from March 1 to the end of February, for 255 Animal Unit Months (AUM's). The lease will authorize 8 cows yearlong at 100% Federal Range from March 1 to the end of February, for 96 Animal Unit Months (AUM's).

Any additional mitigation measures identified in the environmental impacts sections of the referenced environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed action were considered and any necessary changes have been incorporated into the environmental assessment.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470).

The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, 88201, and must state clearly and concisely your specific points.

Signed by T. R Kreager — 8/13/99
Assistant Field Manager — Date

ENVIRONMENTAL ASSESSMENT
for
GRAZING AUTHORIZATION

ALLOTMENTS 63038 & 63538

EA-NM-060-99-135

May, 1999

U.S. Department of the Interior
Bureau of Land Management
Roswell Field Office
Roswell, New Mexico

I. Introduction

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing permit for allotment 63038 and a lease for allotment 63538.

The scope of this document is limited to the effects of issuing a 10 year grazing permit and a 10 year grazing lease. Other future actions such as range improvement projects will be addressed in a project specific environmental assessment. There are no current plans for additional management actions on these allotments.

A. Purpose and Need for the Proposed Action

The purpose of issuing a new grazing permit and lease would be to authorize livestock grazing on public lands on allotments 63038 and 63538. The permit would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 Code of Federal Regulations (CFR) §§4130.3, 4130.3-1, 4180.1 and 4130.3-2.

B. Conformance with Land Use Planning

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

C. Relationships to Statutes, Regulations, or Other Plans

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

Proposed Action and Alternatives

A. Proposed Action:

The proposed action is to authorize William G. and Kay Hendricks Liakos a grazing permit and a grazing lease for the public land in Allotments 63038 and 63538 as outlined in the following table:

Allot #	Authorization Type	Animal Units (AU's)	Period	Percent Federal Range	Type Use	Animal Unit Months (AUM's)
63038	Permit	125	yearlong	17%	Active	255
63538	Lease	8	yearlong	100%	Active	96
Ranch Unit Total		125	yearlong		Active	351

B. No Permit authorization alternative:

This alternative would not issue a new grazing permit or a new lease. There would be no livestock grazing authorized on the public land within allotments 63038 and 63538.

III. Affected Environment

A. General Setting

This ranch lies inside and outside the boundary of the Roswell Grazing District established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands inside the Grazing District boundary is governed by Section 3 of the TGA and by Section 15 of the TGA outside of the boundary. This ranch unit contains both Section 3 and 15 lands, therefore both a permit and a lease is needed for complete authorization. Livestock numbers for the ranch are controlled under the Section 3 permit, the permittee is billed for the amount of forage available for livestock on federal land. Vegetation monitoring studies are used to determine the allowable number of livestock on the ranch.

Allotments 63038 and 63538 is located in Lincoln county, approximately 27 miles southeast of Corona, New Mexico and approximately 50 miles northwest of Roswell, New Mexico. The allotments consists of 1,370 acres of public land, 980 acres are Section 3 and 390 acres are Section 15; and 4,214 acres of private land.

The landscape is rolling, grass covered hills dissected by a major drainages. The major drainage within this ranch is the Hasperos Canyon. Hogadero Draw is along the south boundary of the ranch. More detailed information of the area is discussed under the affected resources section.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Minority/Low Income Populations, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones. Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

B. Affected Resources

1. Soils: In general, the soils in the area are Pastura-Deama-Darvey series. The soils vary from very shallow to very deep, are well drained, and found on nearly level to moderately sloped areas. The soils are derived predominately from limestone. For in depth soil information, please refer to the Soil Survey of Lincoln County New Mexico, published by the USDA Natural Resource Conservation Service (NRCS). A copy of this publication may be reviewed at the BLM Roswell Field Office or at a local NRCS office.

2. Vegetation: These allotments are within the pinion-juniper vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the pinion -juniper community is that the area does have the potential to have pinion, juniper, or mountain mahogany in the description of the potential plant community. The primary consideration for inclusion into this community type is the influence of topography, elevations, and slopes. This community type has smaller areas that are scattered throughout other types such as grasslands.

A rangeland inventory for vegetation production and ecological range site condition was performed on these allotments in 1991. Analysis of the inventory data indicates that the Hills CP-3 range site is in fair condition and usable forage is available for the amount of livestock listed in the proposed action. Copies of the inventory data are available at the Roswell Field Office. The study data shows that the area is vegetated primarily with grass. The existing vegetation consist of grasses such as blue grama, sideoats grama, 3-awns, New Mexico feathergrass, muhly, hairy grama, and tobosa. The shrub and tree species include skunkbush, bear grass, feather dalea, cholla cactus, and one-seed juniper.

Monitoring data indicates that the vegetative conditions on allotments 63038 and 63538 achieve the multiple resource objectives established in the Roswell RMP. Livestock stocking levels are within the allowable vegetation utilization range. Monitoring data and analysis are available for review at the Roswell Field Office.

3. Wildlife: These allotments are within the Macho Habitat Management Area. The entire ranch is fenced with net-wire. Game species occurring within the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area is located in the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. Threatened and Endangered Species: There are no known resident populations of threatened or endangered species on these allotments. A list of federal threatened, endangered, and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell RMP (AP11-2). Of the listed species, avian species such as the bald eagle and peregrine falcon may be observed in the general geographic area during migration or the winter months. There are no known records of these species having occurred on the allotment, and no designated critical habitat areas are within the allotments.

5. Livestock Management: The allotments are operated as a cow/calf and sheep ranch. The ranch consists of two pastures and three traps which aid in livestock movement and restraint. One water well, and four earthen tanks provide livestock water throughout the ranch.

6. Visual Resources: The allotments are located within a Class IV Visual Resource Management area. This means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape.

7. Water Quality: No perennial surface water is found on the Public Land on these allotments.

8. Air Quality: Air quality in the region is generally good. The allotments are in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Recreation: Since these allotments have no facility based recreational activities, only dispersed recreational opportunities occur on these lands. Recreational activities that may occur include hunting, caving, sightseeing, Off Highway Vehicle Use, primitive camping, horseback riding and hiking.

Legal and physical access to public lands within these allotments are via Lincoln County maintained roads. Off Highway Vehicle designation for public lands within these allotments are classified as "Limited" to existing roads and trails.

Due to the fact that public land boundaries are not marked adequately or identified by signs and (or) fences, the public use of these BLM lands are limited.

10. Caves/Karst: These allotments are located within a designated area of high karst and cave potential. A complete significant cave or karst inventory has not been completed for the public lands located in these grazing allotments. No significant caves or karst features are known to exist within these allotments.

11. Floodplains: Within this ranch, one floodplain, the Hasperos Canyon, is recorded on Federal Emergency Management Agency maps. Fences cross, or are in the vicinity of, the floodplain.

IV. Environmental Impacts

A. Impacts of the Proposed Action

1. Soils: Proper utilization levels and grazing distribution patterns are expected to retain sufficient vegetative cover on the allotments, this will maintain the stability of the soils. Soil compaction and excessive vegetative use will occur at small, localized areas such as bedding areas, watering locations, and along trails. Positive affects from the proposed action may include acceleration of nutrient cycling, and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. Ecological condition and trend is expected to remain stable or improve over the long term with the proposed authorized number of livestock and existing pasture management. Rangeland monitoring data indicates that there is an adequate amount of forage for the multiple resource use objectives.

3. Wildlife: Domestic livestock will continue to utilize vegetative resources needed by a variety of wildlife species for life history functions within these allotments. The magnitude of livestock grazing impacts on wildlife is dependent upon the species of wildlife being considered, and it's habitat needs. In general, livestock stocking rate adjustments have been made in the past to minimize the direct competition for those vegetative resources needed by a variety of wildlife species. Cover habitat for wildlife will remain the same as the existing situation. Maintenance and operation of existing waterings will continue to provide dependable water sources for wildlife, as well as livestock.

4. T&E species: Livestock grazing resulting from issuing a grazing permit and lease, may affect, but not likely to adversely affect the bald eagle. It is expected that habitat and range condition would be maintained or improved by authorizing grazing conducive with multiple resource vegetative production goals. Habitat for wintering bald eagles would not be negatively impacted by livestock grazing. There would be no impact to the peregrine falcon since important riparian nesting sites are not found on these allotments.

5 Livestock Management: No adverse impacts are anticipated under the proposed action.

6. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the ranch will remain the same.

7. Water Quality: Direct impacts to surface water quality would be minor, short-term impacts during storm events. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the ranch, and the soil would filter potential contaminants.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

9. Recreation: Grazing should have little or no impact on the dispersed recreational opportunities within these allotments. Public lands are well blocked and accessible via county maintained roads. The evidence or presence of livestock can negatively affect visitors who desire solitude, unspoiled landscape views, or to hike without seeing signs of livestock. However, grazing can benefit some forms or recreation, such as hunting, by creating new water sources for game animals.

10. Caves/Karst: No known significant cave or karst features are known to exist on these allotments. There is a high potential that caves do exist in the area. If a significant cave is found, protection measures would be placed into effect.

11. Floodplains: Floodplain function does not appear to be significantly affected by the construction of roads, fences or pipelines. Future development will be restricted as much as practical. Because future development will be minimized, differences between alternatives are negligible.

B. Impacts of the No Livestock Grazing Alternative.

1. Soils: Soil compaction would be reduced on the allotment around old trails and bedding grounds, there would be a small reduction in soil loss on the allotment.

2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover.

4. T&E Species: There would be no impacts to threatened or endangered species or habitat.

5. Livestock management: The forage from public land would be unavailable for use by the permittee/lessee. This would have a significant adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR §§4140.1(b)(1)]. The intermingled land status on the allotment makes it economically unfeasible to fence out the public land and use only the private land. The remaining private and state land could not support the number of livestock currently authorized and the lower number of livestock would not provide the level of potential income the operator is accustomed to. The allotment operator would also lose the investment made for the acquisition of the permit, lease and improvements installed privately.

6. Visual Resources: There would be no change in the visual resources.

7. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during storm events.

8. Air Quality: There would be a slightly less dust under this under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.

9. Recreation: Impacts would be very minor under the alternative. No positive impacts from livestock watering locations would occur.

10. Caves/Karst: Impacts would be the same as the proposed action if no significant caves are found.

11. Floodplains: Impacts would be the same as the proposed action.

V. Cumulative Impacts

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotment #63038 & 63538 is surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.

If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the permitted numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

VI. Residual Impacts

Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

VII. Mitigating Measures

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

VIII. Fundamentals of Rangeland Health

The fundamentals of rangeland health are identified in 43 CFR §§4180.1 and pertain to watershed function, ecological process, water quality, and habitat for threatened and endangered (T&E) species and other special status species. Based on the available data and professional judgement, the evaluation by this environmental assessment indicates that the conditions identified in the fundamentals of rangeland health exist on this allotment.

IX. BLM Team Members

Jim Schroeder, Hydrologist
John Spain, Rangeland Management Specialist
Tim Kreager, Area Manager, (reviewing for Hazardous Waste Specialist)
Irene Gonzales-Salas, Realty Specialist
Jerry Dutchover, Minerals Geologist
Rand French, Wildlife Biologist
Pat Flanary, Archeologist
Paul Happel, Outdoor Recreation Planner
Howard Parman, Resource Planner

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

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T. R. Kreager, Date
Associate Field Office Manager - Resources